

Long-Term Care Commission
May 22, 2006
Public Service Commission Building, Lansing Michigan
1:00 pm – 4:00 pm
Dial-in number: 1-866-844-4957, Pass Code: 9656170#

MINUTES

COMMISSIONERS IN ATTENDANCE: Marsha Moers, RoAnne Chaney, Christine Chesny, Andrew Farmer, James Francis-Bohr, William Gutos, Dohn Hoyle, Sandra Kilde, William Mania, Yolanda McKinney, Linda Mulligan, Jon Reardon, Hollis Turnham, Toni Wilson

COMMISSIONERS ABSENT: Linda Ewing, Wendall Stone, Reverend Charles Williams II

EX OFFICIO AND OTHER MEMBERS IN ATTENDANCE: Mary Ablan, Jan Christensen, Sharon Gire, Sarah Slocum, Louise Wing

HANDOUTS: Agenda, Minutes, Systems Transformation Grant Abstract, Systems Transformation Grant draft Letter of Support, Overview of the Deficit Reduction Act, Overview of the LTC Continuum Bill (HB 5762 and 5919), Reg Carter memorandum to House Speaker DeRoch re: HB 5389, Substitute HB 5389, Deficit Reduction Act powerpoint presentation

- I. Call to Order, Welcome, and Introductions** – The meeting was called to order at 1:17pm by the Chair. Members of the Commission, , Ex Officio representatives and the public introduced themselves.
- II. Approval of Agenda** – Motion to approve agenda by Reardon, second by Chaney. Agenda approved by voice vote.
- III. Approval of Minutes** – Motion to approve minutes by Turnham, second by Farmer. The minutes were approved as corrected by voice vote.
- IV. Public Comment** – John Weir, , LTC Ombudsman from Kalamazoo, provided testimony regarding the quality of care in several nursing facilities in the 5 county area he serves. He indicated concern that the Commission was focused on rebalancing, but should not lose sight of those that are in nursing facilities and their issues as well. Some of his concerns included: 1) the lack of enforcement by the Bureau of Health Systems; 2) the State not following up on visitor complaints; 3) the State does not cite or re-cite for violations resulting in lesser quality. The Commission should consider partnering with the Michigan State Housing Development Authority to assist in transitioning consumers to the community. A discussion between Mr. Weir and Commission members followed. The Chair thanked Mr. Weir for his testimony, and stated that one of the visions/values of the Commission is to assure that quality and choice are available to everyone

V. Old Business

- **Single Point of Entry**

- **HB 5389 Discussion (enclosure)** – Representative Rick Shaffer; Reg Carter, Health Care of Michigan; and Dave Finkbeiner presented varying viewpoints of this draft legislation. Commissioner Reardon introduced a series of questions from the Health Care Association of Michigan opposing the legislation. There was significant discussion between the Commission members and presenters.

Commissioner Hoyle moved that the Commission support the legislation. Wilson seconded. There was significant discussion regarding the necessity of voting at this time. After discussion, the Chair called for a vote and clarified the voting options for consensus decision-making agreed to at a previous meeting. Some Commissioners expressed they were uncomfortable voting on such an important issue without adequate discussion.

Commissioner Kilde made a motion to table the vote until the next meeting, with a second from Reardon. Because there was confusion over how members are to vote, the Chair explained they are to vote as individuals on behalf of the constituency they were appointed to represent, and not as members of a particular agency or organization. Through a show of hands, 2 approved and 12 opposed the second motion.

A decision was made to defer discussion and voting on the original motion to the end of the meeting.

- **SPE RFP Update** – Christensen indicated that four SPE demonstration sites have been identified. The official public announcement will be made via a press release from the Governor's Office. Contract negotiations with the SPEs and the Department of Management and Budget are ongoing. A cost analysis has been completed. Savings will result from slowing the rate of growth of the nursing facility admissions. The delay in announcement is due to the length of time to negotiate with the SPEs. Commissioner Kilde questioned whether changes would be made to the legislation requiring background checks for home help workers and the SPE staff. Mr. Christensen indicated that action would require additional legislation.
- **Update on Technical Assistance Grant for Direct Care Workforce** – Michigan submitted a letter of intent to CMS. A full grant will be submitted by the deadline, June 1, 2006. The grant is for technical assistance only, not funding. Michigan will request assistance to implement the Task Force recommendations. The writing workgroup includes OSA, Michigan Quality Community Care Council, Medicaid, DCH, DHS, and DLEG.
- **Resolution for Paul Reinhart** – The resolution was adopted at the last meeting. A copy of the resolution was provided to the Commission.

VI. New Business –

- **Systems Transformation Grant (enclosure)** – This is a resubmission from last year. It is for \$3 million over five years. It is covering long-term care services for the elderly and consumer with disabilities. Michigan is applying for three of the six goals: 1) money follows the person, 2) self-direction, and 3) SPE, as a resource beyond the pilot two years. It is intended to meet the goals of the Olmstead decision, and provide choices based on preferences and needs in the community setting. Chesny made a motion to support the Systems Transformation Grant and send the letter of support. Hoyle seconded. Motion was passed on a voice vote. Chair approved draft letter.
- **Deficit Reduction Act Overview (enclosure)** – A powerpoint presentation was made regarding this federal act and its impact on long-term care. There was brief discussion between Commission members. It was suggested, due to lack of time, that LTC Partnerships and Money Follows the Person concepts be continued at the next meeting. Turnham indicated that this overview does not discuss the issue of birth certificates or passports being required and asked that a slide be added to the presentation. The Medicaid specialist in DRA will be asked to provide more information at a future meeting.
- **LTC Continuum Bill Overview – HB 5762 & 5919 (enclosure)** – Due to lack of time, this issue was deferred to a future meeting.

VII. Other Business

Return to HB 5389 Discussion - The Chair placed a 15 minute time limit for additional discussion. Further clarification on voting was provided. The Chair called for a vote on the original Hoyle motion (Commission supports HB 5389). A show of hands vote resulted in 11 to approve, 2 to stand aside, and 1 to block. The block voter was asked to provide rationale. Commissioner Chesney explained that her block was to ensure that all voices are heard in the discussion and requested that responses to the issues in HCAM's memorandum be provided. Because of the block vote, the issue was tabled for further discussion at the next meeting.

- **Commissioner Comments**
 - There were many comments regarding the vote on HB 5389.
 - Chesny thanked Turnham and Alison Hirschel for writing the resolution for Paul Reinhart.
 - Kilde asked the Chair for further clarification on how members are to vote. The Chair indicated that she would seek clarification from the Governor's appointments office.
 - Reardon raised a question regarding Commissioner Wendall. Stone, who has not attended the last two meetings and requested that the Chair contact him to discuss the importance of his participation.

- **Office of Long-Term Care Supports and Services**– no decision has been made about the director’s position. Four possible names were submitted to the Department Director. Second interviews will be scheduled. A staffing plan has been approved by the Department of Management and Budget. If approved, the Systems Transformation Grant will help fund the office.

VIII. Adjournment – Chaney motioned for adjournment. Reardon seconded. Motion was passed with a voice vote.

Next meetings:

June 26, 1pm – 4pm, Capitol View Building, Conference Rooms A, B & C

September 25, 1pm – 4pm, Capitol View Building, Conference Rooms A, B & C

MOTION	FIRST	SECOND	ACTION
Approval of Agenda	Jon Reardon	RoAnne Chaney	Passed
Approval of Minutes, as amended	Hollis Turnham	Andrew Farmer	Passed
Table the motion to support HB 5389 vote until the next meeting	Sandra Kilde	Jon Reardon	2 approved 12 opposed
Resolution that the Commission support HB 5389	Dohn Hoyle	Toni Wilson	11 approved 2 stand aside 1 block Motion tabled
Support the Systems Transformation Grant and send the letter of support.	Christine Chesny	Dohn Hoyle	Passed
Adjournment	RoAnne Chaney	Jon Reardon	Passed